



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

January 25, 2017

System No. 5010009

Mr. Ernie Garza, General Manager
Keyes Community Services District
P.O. Box 699
Keyes, CA 95328

Addendum No. 2 to Arsenic Compliance Order No. 03-10-09CO-003

Mr. Garza:

On January 5, 2009, the State Water Resources Control Board, Division of Drinking Water, issued Compliance Order No. 03-10-09CO-003 to the Keyes Community Services District (District) for violating the arsenic maximum contaminant level (MCL) of 0.010 mg/L. Addendum No. 1 to the Compliance Order was issued on January 14, 2014. Transmitted herewith is a second addendum to the Compliance Order. The District has requested an extension of the Compliance Order's deadline for returning to compliance with the arsenic MCL. Addendum No. 2 grants the request and extends the deadline to December 31, 2019.

If you have any questions regarding this letter or the enclosed addendum, please contact Brian Kidwell of this office by email at Brian.Kidwell@waterboards.ca.gov, or by phone at (209) 948-3963.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard L. Hinrichs".

Richard L. Hinrichs, P.E., Chief
Northern California Section
Division of Drinking Water
State Water Resources Control Board

Attachments: Addendum No. 2

Certified Mail/Return Receipt
7012 3460 0003 1112 8564

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

31 E. Channel Street, Room 270, Stockton, CA 95202 | www.waterboards.ca.gov

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**STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER**

IN RE: Keyes Community Services District Water System
System No. 5010009

TO: Ernie Garza
General Manager
P.O. Box 699
Keyes, CA 95328

**Addendum No. 2
To
COMPLIANCE ORDER NO. 03-10-09CO-003
For
Violation of the Arsenic Maximum Contaminant Level**

**Original Compliance Order Issued On January 5, 2009
Addendum No. 1 issued on January 14, 2014
Addendum No. 2 issued on January 25, 2017**

29 The State Water Resources Control Board (hereinafter "Board"), acting by and
30 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director
31 for the Division (hereinafter "Deputy Director"), hereby issues Addendum No. 2 to
32 Compliance Order No. 03-10-09CO-003 to the Keyes Community Services District
33 (hereinafter, District) (P.O. Box 699, Keyes, CA 95328) for violation of California Code
34 of Regulations (CCR), Title 22, Section 64431(a).
35

36 The Board, successor in interest to the California Department of Public Health
37 (CDPH), issued Compliance Order No. 03-10-09CO-003 to the District on January 5,
38 2009, for failure to provide drinking water that was in compliance with the arsenic

maximum contaminant level (hereinafter, MCL) of 0.010 mg/L. On January 14, 2014, CDPH issued Addendum No. 1 to the Compliance Order, to extend the deadline to meet compliance with the arsenic MCL to December 31, 2016. Since the District has been unable to achieve compliance with the arsenic MCL by the above deadline due to funding issues, the Division hereby further amends the Compliance Order as follows:

- Delete Order No. 2 and replace with the following:

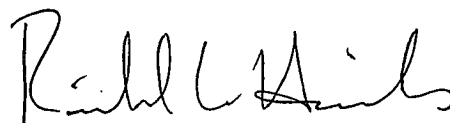
On or before December 31, 2019, the District shall comply with the arsenic MCL by completing projects to correct the arsenic MCL violation. The District shall notify the Division in writing of the date the projects have been completed. Any addition and/or changes to the water supply sources and/or treatment require prior Division approval in the form of a permit amendment.

All submittals required by this Order shall be addressed to:

Bhupinder S. Sahota, P.E.
District Engineer, Stockton District
State Water Resources Control Board
Division of Drinking Water
31 E. Channel Street, Room 270
Stockton, CA 95202

Except as amended herein, all other terms of the Compliance Order shall remain in full force and effect for any active well that continues to produce water with an arsenic level above the MCL of 0.010 mg/L.

1/25/2017
Date

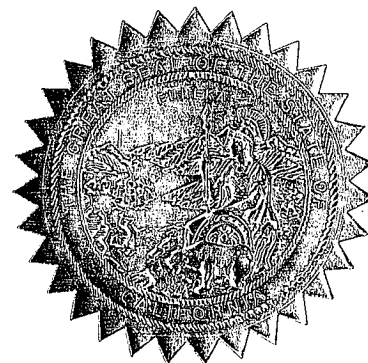


Richard L. Hinrichs, P.E., Chief
Northern California Section
Division of Drinking Water
State Water Resources Control Board

Attachments: Compliance Order No. 03-10-09CO-003
Addendum No. 1 to Compliance Order No. 03-10-09CO-003

Certified Mail No. 7012 3460 0003 1112 8564

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Joe

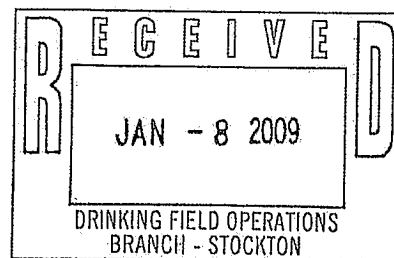
Compliance Order No. 03-10-09CO-003

MAILED
1/5/09
RDC

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: KEYES COMMUNITY SERVICES DISTRICT WATER SYSTEM
System No 5010009

TO: Mr. Eddie Jones
Maintenance Supervisor
Post Office Box 699
Keyes, CA 95328



**COMPLIANCE ORDER
FOR
VIOLATION OF THE ARSENIC MAXIMUM CONTAMINANT LEVEL**

ISSUED ON JANUARY 5, 2009

Section 116655, Chapter 4 of the California Health and Safety Code authorizes the issuance of an Order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

FINDINGS

The Keyes Community Services District (District) Water System provides potable water to the residents of the community of Keyes. Keyes is an unincorporated community with about 4,575 residents (from 2007 Annual Report to DWP) and is located about 10 miles to the south of the City of Modesto in Stanislaus County.

1 The area is primarily residential with some industrial, and the surrounding area is
2 primarily agricultural.
3

4
5 The domestic water system is owned and operated by the District. The Keyes
6 Community Service District water system operates under the authority of a
7 Domestic Water Supply Permit, No. 01-10-93P-006, granted on September 27,
8 1993 by the Department. The water system has a total of four approved active
9 wells with continuous chlorination conducted at all of the wells.
10

11
12 Three of the District's four active wells, Wells 8-10, exceed the arsenic maximum
13 contaminant level (MCL) of 0.010 mg/L. Prior to the State of California's
14 adoption of the new arsenic MCL, effective November 28, 2008, the Department
15 required the District to provide ongoing public notification due to violation of the
16 Federal Arsenic Rule with the exceedence of the Federal MCL for arsenic,
17 which is also 0.010 mg/L. A Notice of Non-Compliance (No. 03-10-06NNC-003)
18 dated November 6, 2006 was sent to the District, which specified the public
19 notification requirements that the District has been conducting on a quarterly
20 basis.
21

22
23 Specifically, based on three quarters of monitoring in 2006, the District exceeded
24 the arsenic MCL of 0.010 mg/L in Wells 8 and 10. The arsenic was 0.016 mg/l at
25 Well 8 and 0.015 mg/l at Well 10. For Well 9, four quarters of arsenic monitoring
26 were completed in October 2006, and the result also exceeded the arsenic MCL,
27 with an arsenic level of 0.013 mg/L.

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2
3 The District submitted a pre-application for Safe Drinking Water State Revolving
4 Funds (SRF) in August 2006 to obtain funding to conduct a planning study that
5 will enable the District to determine the best alternative to bring the water system
6 into compliance with the Federal arsenic MCL. In May 2007, Keyes Community
7 Services District was invited to submit an application for funding to conduct a
8 planning study. The application was submitted by the deadline of January 11,
9 2008. In a letter dated November 13, 2008, the Department authorized the
10 Department of Water Resources (DWR) to proceed with the preparation of a
11 funding agreement for this planning study.
12

13 14 CONCLUSIONS OF LAW

15 Based on the above Findings, the Department has determined that the Keyes
16 Community Services District water system has violated provisions contained in
17 the California Health and Safety Code and Title 22, California Code of
18 Regulations (CCR). These violations include, but are not limited to the following:
19

- 20 1. Health and Safety (H&S) Code Section 116555(a)(1) Specifically, the Keyes
21 Community Services District water system is operating Wells 8-10 that
22 produce water that does not comply with a primary drinking water standard.
- 23 2. H&S Code Section 116555(a)(3) Specifically, the Keyes Community Services
24 District water system failed to ensure that a reliable and adequate supply of
25 pure, wholesome, healthful, and potable water is provided.
- 26 3. 22CCR Section 64431(a) Specifically, the water supplied by the Keyes
27 Community Services District water system exceeds the maximum

1 contaminant level of 0.010 mg/L for arsenic and, therefore, does not comply
2 with a primary drinking water standard.
3

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5 **ORDER**

6 In order to ensure that the water supplied by the Keyes Community Services
7 District water system is at all times safe, wholesome, healthful, and potable, and
8 pursuant to Section 116655 of the H&S Code, the water system is ordered to
9 take the following actions:
10

11 1. Cease and Desist from failing to comply with CHSC Sections
12 116555(a)(1) and (a)(3) and Section 64431 Title 22, California Code of
13 Regulations (CCR) by ensuring that the system is provided with a reliable
14 and adequate supply of pure, wholesome, healthful, and potable water,
15 which is in compliance with all primary drinking water standards according
16 to the plan and schedule set forth in this Order.
17

18 2. **By April 30, 2010**, submit to the Department a draft planning report as
19 required in the November 13, 2008 letter where the Department
20 authorized Department of Water Resources to prepare the funding
21 agreement.
22

23 3. Complete all the construction and improvements identified in the plan to
24 provide arsenic removal treatment system for the Keyes Community
25 Services District in accordance with the approved plan and schedule, but
26 **no later than December 31, 2012.**
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4. Since the Keyes Community Services District water system must make use of water from its wells to meet system demand until a project is completed to provide water meeting drinking water standards, the water system shall continue to provide public notification in accordance with Section 64467 Title 22, CCR of its inability to meet the arsenic MCL.

The District shall provide quarterly public notification of its inability to meet the arsenic MCL during any calendar quarter that the four-quarter running annual average from Wells 8-10 exceeds the MCL. The notification procedures and format are provided in Attachment A. Proof of public notification shall be provided to the Department following each quarterly notification by the 10th day of the month following notification, using the form provided as Attachment B.

5. The District shall continue to collect quarterly samples from Wells 8-10 for arsenic analysis. The analytical results shall be reported to the Department no later than the 10th day following the month in which the samples were collected.

6. The District shall submit quarterly progress reports to the Department beginning in November 2009. The progress reports shall provide updated information related to the actions that have occurred during the last quarter to move the water system toward compliance, any problems that may have set the compliance program behind schedule, and the responses planned by the water system to make up any lost time.

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2 7. The District shall make every reasonable attempt to minimize the arsenic
3 concentration in the water provided to the consumers by managing the
4 utilization of the District's wells. When wells are required to meet
5 demand, the District shall utilize the well with the lowest arsenic
6 concentration first. At present, Well 7 has the lowest reported arsenic
7 concentrations and should be utilized before other wells are brought
8 online providing that distribution hydraulics facilitate such well use
9 prioritization. Arsenic concentrations may change over time and the
10 District's required quarterly monitoring will provide regular updates on
11 arsenic concentrations so that well use priorities can be adjusted as
12 needed. Every reasonable attempt shall be made to sequence the use of
13 the lowest arsenic concentration wells before higher arsenic wells.

14
15 The District shall submit a plan to the Department by **January 31, 2009**
16 for sequencing the use of wells with lower arsenic levels over those with
17 higher arsenic levels within the limitations of distribution system
18 hydraulics. The plan shall include a water conservation program that will
19 help to minimize the use of water from wells with arsenic greater than the
20 MCL until compliance is achieved.

21
22 8. The Department reserves the right to make such modifications to this
23 Order as it may deem necessary to protect public health and safety. Such
24 modifications may be issued as amendments to this Order and shall be
25 effective upon issuance.
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All submittals required by this Order shall be addressed to:

Joseph O. Spano, P.E.
District Engineer
California Department of Public Health
Southern California Branch
Drinking Water Field Operations
31 East Channel Street, Room 270
Stockton, CA 95202

9. If the Keyes Community Services District water system is unable to perform the tasks specified in this Order for any reason, whether within or beyond its control, and if the Keyes Community Services District water system notifies the Department in writing no less than five days in advance of the due date, the Department may extend the time for performance if the Keyes Community Services District water system demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.

10. If the Keyes Community Services District water system fails to perform any of the tasks specified in this Order by the time described herein or by the time subsequently extended pursuant to Item 5 above, the Keyes Community Services District water system shall be deemed to have not complied with the obligations of this Order and may be subject to additional judicial action, including civil penalties specified in H&S Code, Section 116725 and 116730.

11. The State of California shall not be liable for any injuries or damages to persons or property resulting from acts of omissions by the Keyes Community Services District water system, its employees, agents, or

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2 contractors in carrying out activities pursuant to this Order, nor shall the
3 State of California be held as a party to any contract entered into by the
4 Keyes Community Services District water system or its agents in carrying
5 out activities pursuant to this Order.
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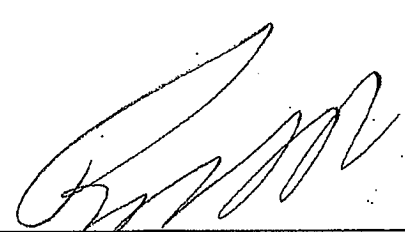
7 **PARTIES BOUND**

8 This Order shall apply to and be binding upon the Keyes Community Services
9 District water system, its officers, directors, agents, employees, contractors,
10 successors, and assignees.
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13 **SEVERABILITY**

14 The requirements of this Order are severable, and the Keyes Community
15 Services District water system shall comply with each and every provision thereof
16 notwithstanding the effectiveness of any provisions.
17

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20
21 January 5, 2009
22 Date


Richard L. Haberman, P.E., Chief
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS



ATTACHMENT A – Public Notification

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

[Insert System Name] Has levels of Arsenic Above Drinking Water Standards

Our water system OR Water produced by Well _____ of our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

Option 1: We routinely monitor for the presence of drinking water contaminants. Testing results we received on [Insert date(s) or month year,] show that our system exceeds the standard, or maximum contaminant level (MCL), for Arsenic. The standard for Arsenic is 0.010 mg/L OR 10 ug/L. The average level of Arsenic over the last year was _____ mg/L OR ug/L. Compliance with the arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well, unless fewer samples would cause the running annual average to be exceeded.

Option 2: We routinely monitor for the presence of drinking water contaminants. Compliance with the Arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well. Testing results from Wells Number 9, 10 and 11 collected over the last four quarters (or year) show that our system exceeds the Arsenic MCL of 10 micrograms per liter (ug/L). The average Arsenic concentrations from these well(s) ranged from _____ ug/L to _____ ug/L. Compliance with the arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well, unless fewer samples would cause the running annual average to be exceeded.

What should I do?

- **You do not need to use an alternative (e.g. , bottled) water supply.** However, if you have specific health concerns, consult your doctor.

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately. However, *some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.*

What happened? What was done?

[Describe corrective action.] _____

_____ We
anticipate resolving the problem within [estimated time frame].

For more information, please contact [insert name of contact] at [insert phone number] or at the following mailing address: [insert business/mailling address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: _____

ATTACHMENT B – Proof of Notification

PROOF OF NOTIFICATION

Name of Water System: *Name of Water System*

System Number: *Water System Number*

Certification

As required by Section 141.32(a) Title 40, *Code of Federal Regulations* as published in December 16, 1998, Federal Register (Vol. 63, No. 241), I notified the users of the water supplied by *Name of Water*

System Water System of the arsenic violation of the National Primary Drinking Water Regulations for

the compliance period of, circle one: 1st 2nd 3rd 4th quarter of _____ (year).

I complied with the directives of this compliance order as indicated below:

Required Action	Date Completed
Public Notification - Newspaper	<input type="text"/>
Public Notification - Mail or Hand Delivery	<input type="text"/>

Print Name

Signature of Water System

Representative

Date

Attach a copy of the notice published in the newspaper and a copy of the notice delivered to customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

QUARTERLY, AS LONG AS THE VIOLATION CONTINUES



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

January 14, 2014

System No: 5010009

Mr. Ernie Garza, General Manager
Keyes CSD
P.O. Box 699
Keyes, CA 95328

TRANSMITTAL OF ADDENDUM NO. 01 TO COMPLIANCE ORDER NO. 03-10-09CO-003

This letter transmits Addendum No. 01 to the original Compliance Order No. 03-10-09CO-003, issued to the Keyes Community Services District (District) on January 5, 2006, for an arsenic MCL violation. The District's sources continue to be in violation of the arsenic MCL. The original Compliance Order stated that the District was to complete all the construction and improvements identified in the planning study, to provide an arsenic removal treatment system, by December 31, 2012. The attached Addendum extends this date until December 31, 2016.

If you have any questions regarding the Addendum, please contact Brian Kidwell by email at Brian.Kidwell@cdph.ca.gov or by phone at (209) 948-3963.

Sincerely,

Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
Southern California Branch
Drinking Water Field Operations

Attachments:

Addendum No. 01 to Compliance Order 03-10-09CO-003

CLC/BS/BK

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Compliance Order No. 03-10-09CO-003A

**STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH**

IN RE: **KEYES COMMUNITY SERVICES DISTRICT WATER SYSTEM**
 System No 5010009

TO: Mr. Ernie Garza
 General Manager
 PO Box 699
 Keyes, CA 95328

**COMPLIANCE ORDER
FOR
VIOLATION OF THE ARSENIC MAXIMUM CONTAMINANT LEVEL**

**Original Order Issued on January 5, 2009
Addendum No. 01 to Original Order Issued on January 14, 2014**

Section 116655, Chapter 4 of the California Health and Safety Code authorizes the issuance of an Order for failure to comply with a requirement of the California Safe Drinking Water Act, or any regulation, standard, permit, or order issued thereunder.

FINDINGS

The Keyes Community Services District (District) Water System provides potable water to the residents of the community of Keyes. Keyes is an unincorporated community with about 5,601 residents (from 2012 Annual Report to DWP) and is located about 10 miles to the south of the City of Modesto in Stanislaus County.

The area is primarily residential with some industrial, and the surrounding area is primarily agricultural.

The domestic water system is owned and operated by the District. The District's water system operates under the authority of a Domestic Water Supply Permit, No. 01-10-93P-006, granted on September 27, 1993 by the California Department of Public Health (Department). The water system has a total of four approved active wells with continuous chlorination provided at all of the wells.

Three of the District's four active wells, Well Nos. 8, 9, and 10, exceed the arsenic maximum contaminant level (MCL) of 0.010 mg/L. Prior to the State of California's adoption of the revised arsenic MCL, effective on November 28, 2008, the Department required the District to provide ongoing public notification due to violation of the Federal Arsenic Rule with the exceedence of the Federal MCL for arsenic, which is also 0.010 mg/L. A Notice of Non-Compliance (No. 03-10-06NNC-003) dated November 6, 2006 was sent to the District, which specified the public notification requirements that the District has been conducting on a quarterly basis.

Specifically, based on three quarters of monitoring in 2006, the District exceeded the arsenic MCL of 0.010 mg/L in Well Nos. 8 and 10. The arsenic was 0.016 mg/l at Well No. 8 and 0.015 mg/l at Well No. 10. For Well No. 9, four quarters of arsenic monitoring were completed in October 2006, and the result also exceeded the arsenic MCL, with an arsenic level of 0.013 mg/L.

The District submitted a pre-application for Safe Drinking Water State Revolving Funds (SRF) in August 2006 to obtain funding to conduct a planning study that will enable the District to determine the best alternative to bring the water system into compliance with the arsenic MCL. In May 2007, the District was invited to submit an application for funding to conduct a planning study. The application was submitted by the deadline of January 11, 2008. In a letter dated November 13, 2008, the Department authorized the Department of Water Resources (DWR) to proceed with the preparation of a funding agreement for this planning study. The planning study has since been completed and the selected project alternative is a new centralized arsenic treatment plant. The District is currently working to develop plans and specifications for the centralized arsenic treatment plant.

An addendum to the original compliance order, issued on January 5, 2009, is issued due to the fact that the original compliance date, December 31, 2012, to complete all the construction and improvements identified in the planning study to provide an arsenic removal treatment system has passed. The District has been working with the Department's funding program, as well as the Stockton District Office, to complete the design and construction of the arsenic treatment plant. Currently the District is having a difficult time securing a piece of property for the treatment plant, which in turn is delaying the design of the treatment plant.

CONCLUSIONS OF LAW

Based on the above Findings, the Department has determined that the Keyes Community Services District water system has violated provisions contained in the California Health and Safety Code and Title 22, California Code of

Regulations (CCR). These violations include, but are not limited to the following:

1. Health and Safety (H&S) Code Section 116555(a)(1) Specifically, the Keyes Community Services District water system is operating Well Nos. 8, 9, and 10 that produce water that does not comply with a primary drinking water standard.
2. H&S Code Section 116555(a)(3) Specifically, the Keyes Community Services District water system failed to ensure that a reliable and adequate supply of pure, wholesome, healthful, and potable water is provided.
3. 22CCR Section 64431(a) Specifically, the water supplied by the Keyes Community Services District water system exceeds the maximum contaminant level of 0.010 mg/L for arsenic and, therefore, does not comply with a primary drinking water standard.

ORDER

In order to ensure that the water supplied by the Keyes Community Services District water system is at all times safe, wholesome, healthful, and potable, and pursuant to Section 116655 of the H&S Code, the water system is ordered to take the following actions:

1. Cease and Desist from failing to comply with CHSC Sections 116555(a)(1) and (a)(3) and Section 64431 Title 22, California Code of Regulations (CCR) by ensuring that the system is provided with a reliable and adequate supply of pure, wholesome, healthful, and potable water, which is in compliance with all primary drinking water standards according to the plan and schedule set forth in this Order.
2. Complete all the construction and improvements identified in the planning study to provide an arsenic removal treatment system for the Keyes Community Services District in accordance with the approved plan and schedule, but no later than December 31, 2016.
3. Since the Keyes Community Services District water system must make use of water from its wells to meet system demand until a project is completed to provide water meeting drinking water standards, the water system shall continue to provide public notification in accordance with Section 64467 Title 22, CCR of its inability to meet the arsenic MCL.

The District shall provide quarterly public notification of its inability to meet the arsenic MCL during any calendar quarter that the four-quarter running annual average from Well Nos. 8, 9, and/or 10 exceeds the MCL. The notification procedures and format are provided in Attachment A. Proof of public notification shall be provided to the Department following each quarterly notification by the 10th day of the month following notification, using the form provided as Attachment B.

4. The District shall continue to collect quarterly samples from Well Nos. 8, 9, and 10 for arsenic analysis. The analytical results shall be reported to the Department no later than the 10th day following the month in which the samples were collected.
-
5. The District shall submit quarterly progress reports to the Department beginning in November 2009. The progress reports shall provide updated information related to the actions that have occurred during the last quarter to move the water system toward compliance, any problems that may have set the compliance program behind schedule, and the responses planned by the water system to make up any lost time.
 6. The District shall make every reasonable attempt to minimize the arsenic concentration in the water provided to the consumers by managing the utilization of the District's wells. When wells are required to meet demand, the District shall utilize the well with the lowest arsenic concentration first. At present, Well No. 7 has the lowest reported arsenic concentrations and should be utilized before other wells are brought online providing that distribution hydraulics facilitate such well use prioritization. Arsenic concentrations may change over time and the District's required quarterly monitoring will provide regular updates on arsenic concentrations so that well use priorities can be adjusted as needed. Every reasonable attempt shall be made to sequence the use of the lowest arsenic concentration wells before higher arsenic wells.
 7. The Department reserves the right to make such modifications to this Order as it may deem necessary to protect public health and safety. Such

modifications may be issued as addendums to this Order and shall be effective upon issuance.

All submittals required by this Order shall be addressed to:

Bhupinder Sahota, P.E.
District Engineer
California Department of Public Health
Southern California Branch
Drinking Water Field Operations
31 East Channel Street, Room 270
Stockton, CA 95202

8. If the Keyes Community Services District water system is unable to perform the tasks specified in this Order for any reason, whether within or beyond its control, and if the Keyes Community Services District water system notifies the Department in writing no less than five days in advance of the due date, the Department may extend the time for performance if the Keyes Community Services District water system demonstrates that it has used its best efforts to comply with the schedule and other requirements of this Order.
9. If the Keyes Community Services District water system fails to perform any of the tasks specified in this Order by the time described herein or by the time subsequently extended pursuant to Item 8 above, the Keyes Community Services District water system shall be deemed to have not complied with the obligations of this Order and may be subject to additional judicial action, including civil penalties specified in H&S Code, Section 116725 and 116730.

10. The State of California shall not be liable for any injuries or damages to persons or property resulting from acts of omissions by the Keyes Community Services District water system, its employees, agents, or contractors in carrying out activities pursuant to this Order, nor shall the State of California be held as a party to any contract entered into by the Keyes Community Services District water system or its agents in carrying out activities pursuant to this Order.


PARTIES BOUND

This Order shall apply to and be binding upon the Keyes Community Services District water system, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The requirements of this Order are severable, and the Keyes Community Services District water system shall comply with each and every provision thereof notwithstanding the effectiveness of any provisions.

1-14-2014
Date



Carl L. Carlucci, P.E.
Supervising Sanitary Engineer
Central California Section
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Attachments:

Attachment A: Public Notification Notice
Attachment B: Proof of Notification

ATTACHMENT A – Public Notification

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

[Insert System Name] Has levels of Arsenic Above Drinking Water Standards

Our water system OR Water produced by Well _____ of our water system recently failed a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

Option 1: We routinely monitor for the presence of drinking water contaminants. Testing results we received on [Insert date(s) or month year,] show that our system exceeds the standard, or maximum contaminant level (MCL), for Arsenic. The standard for Arsenic is 0.010 mg/L OR 10 ug/L. The average level of Arsenic over the last year was _____mg/L OR ug/L. Compliance with the arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well, unless fewer samples would cause the running annual average to be exceeded.

Option 2: We routinely monitor for the presence of drinking water contaminants. Compliance with the Arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well. Testing results from Wells Number 9, 10 and 11 collected over the last four quarters (or year) show that our system exceeds the Arsenic MCL of 10 micrograms per liter (ug/L). The average Arsenic concentrations from these well(s) ranged from _____ ug/L to _____ ug/L. Compliance with the arsenic maximum contaminant level (MCL) is based on the average concentration of four consecutive quarterly samples (or an annual average) for each well, unless fewer samples would cause the running annual average to be exceeded.

What should I do?

- You do not need to use an alternative (e.g., bottled) water supply. However, if you have specific health concerns, consult your doctor.

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately. However, *some people who drink water containing arsenic in excess of the MCL over many years may experience skin damage or circulatory system problems, and may have an increased risk of getting cancer.*

What happened? What was done?

[Describe corrective action.] _____

_____ We
anticipate resolving the problem within [estimated time frame].

For more information, please contact [insert name of contact] at [insert phone number] or at the following mailing address: [insert business/mailling address].

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

Dated: _____

ATTACHMENT B – Proof of Notification

PROOF OF NOTIFICATION

Name of Water System: *Name of Water System*

System Number: *Water System Number*

Certification

As required by Section 141.32(a) Title 40, *Code of Federal Regulations* as published in December 16,

1998, Federal Register (Vol. 63, No. 241), I notified the users of the water supplied by *Name of Water*

System Water System of the arsenic violation of the National Primary Drinking Water Regulations for

the compliance period of, circle one: 1st 2nd 3rd 4th quarter of _____ (year).

I complied with the directives of this compliance order as indicated below:

Required Action	Date Completed
Public Notification - Newspaper	<input type="text"/>
Public Notification - Mail or Hand Delivery	<input type="text"/>

Print Name

Signature of Water System

Representative

Date

Attach a copy of the notice published in the newspaper and a copy of the notice delivered to customers.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT

QUARTERLY, AS LONG AS THE VIOLATION CONTINUES